

**Central Office**

1450 Energy Park Drive, Suite 200 | St. Paul, MN 55108  
Main: 651.361.7200 | Fax: 651.642.0223 | TTY: 800.627.3529  
[www.mn.gov/doc](http://www.mn.gov/doc)

**RECEIVED  
BY MAIL  
FEB 16 2021**

**CLERK  
U.S. DISTRICT COURT  
MINNEAPOLIS, MINNESOTA**

September 27, 2019

Marc Bakambia #248643  
Minnesota Correctional Facility – Stillwater  
970 Pickett Street North  
Bayport, MN 55003

Dear Mr. Bakambia,

The grievance appeal you submitted is being returned to you for the following reason(s):

- Your grievance is not complete. In order to appeal a grievance, your initial grievance, filed at the facility, needs to be accepted and processed.

You were informed that all transfers to another facility within the Department of Corrections are based upon bed space and the needs of the department. Per MNDOC Policy 301.095 Central Transportation – Offenders. Offenders are not made aware of an upcoming transfer prior to the transfer occurring due to safety reasons.

Please refer to the Department of Corrections Policy 303.100 Grievance Procedure for the proper grievance procedure.

Facilities Division  
Central Office



*EXHIBIT 6*

*Received on 10-2-19 from Central office*



## Minnesota Department of Corrections

## Grievance Appeal

Date: 9-18-19Offender: MARC BAKAMBIA OID: 248643 Living Unit: BE 251

Instruction to offender: The grievance must be attached to this form in order to process. You may add one 8 1/2 x 11 inch sheet of paper to expand upon your grievance appeal information. Please include one copy of all exhibits for this grievance appeal.

Reason for Appeal: I in many of my complaints, my safety concerns about this specific Facility "STILLWATER" was brought up to Rush City Staff attention several times, and they disregarded my safety concerns those several times. Because of the violation of my rights that resulted to my condition TBI, they still transferred me maliciously to this Facility that they have knowledge of my future substantial risk of harm. This issue was also reported in the letter I had sent to the Commissioner at the Central Office on 7/16/19 even though I was transferred out of the Facility the next day of the letter being sent out.

As to my remedies on the grievance, they have been continuously violating the Chain of Command by not responding to my kite <sup>not</sup> and accepting my grievances.

As to this attached Grievance, the WARDEN JANSSEN, GRIEVANCE AUTHORITY replied: This is a DOC-wide policy. DOC policy, cannot be grieved.

Please, refer to attached Grievance for my remedies

Thank you Very much.

Dist.

Original - Central Office Grievance Appeal Coordinator

Copies - Facility Grievance Coordinator

Offender

Facilities Division

Date Entered

SEP 25 2019

Grievance Number

Received on 10-2-19 from central office.

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303.100C 9/02

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**m** DEPARTMENT  
OF CORRECTIONS  
**MCF-RC Office Memorandum**

Date: August 26, 2019

To: Marc BAKAMBIA #248643

Seg Tier 1 Cell 1103

MCF- Stillwater

From: Warden Janssen, Grievance Authority

**RE: Grievance – Refer to Policy #303.100 (See Chain of Command on back side of this memo)**

The grievance you submitted will not be entered as a formal grievance for the reason(s) listed below:

\_\_\_\_\_ You must file your grievance within 30 calendar days from the date the incident occurred.

\_\_\_\_\_ You exceeded the number of pages allowed to file a grievance. No more than the grievance form and one side of an additional 8-1/2 x 11 piece of paper may be used to state your grievance.

\_\_\_\_\_ You did not attach copies of **ALL** kite responses you received in the Chain of Command. **You must write to one person at a time and wait one week or until you have received a response from that person before writing to the next staff.** Once all kite responses have been received, you can forward those with the grievance to me.

\_\_\_\_\_ You indicated that you verbally spoke with staff. This is not proof that you tried to resolve the issue informally. You need to write kites following the Chain of Command. Include copies of staff's response with your grievance.

\_\_\_\_\_ You did not fill out the appropriate form. You need to submit your issue on a pink Grievance form.

\_\_\_\_\_ You can only list one issue per grievance.

\_\_\_\_\_ This is not an issue you can grieve. This issue already has an appeal process in place that you must follow. Decisions from that appeal process are final and cannot be grieved through this process.

☒ This is a DOC-wide policy. DOC policies cannot be grieved.

\_\_\_\_\_ Your grievance is not clear to me. Please be more concise regarding what your issue is and what you are seeking for a resolution. List in one or two paragraphs your issue, and then in a sentence or two, what you seek for resolution.

\_\_\_\_\_ You are seeking staff termination or discipline. This is not an acceptable request for resolution.

\_\_\_\_\_ You have already grieved this issue. Once the grievance authority has responded, you can appeal the decision through the grievance appeal authority at the MN DOC Central Office.

\_\_\_\_\_ Other. Please see below comments.

Additional comments:

Facilities Division

SEP 25 2019

RECEIVED

Received on 10-2-19 from central office.  
Contributing to a Safer Minnesota

303.100E (04/2018)



AUG 23 19 00

**Minnesota Department of Corrections  
Offender Grievance**

Date: 8/14/19Offender: MARC BAKAMBIA OID: 248643 Living Unit/Cell/Room#: 1103Casemanager: MS. REBECCA ERICKSON

Instruction to offender – You may add one 8½ X 11 inch sheet of paper to expand your grievance information. You must attach kites, including staff response, showing your attempt to resolve the issue informally and one copy of all supporting exhibits for this grievance. Your grievance will be returned if you do not attach kites.

## Grievance:

This Grievance is Mainly concerns my Safety. You did transferred me to STILLWATER with a Malicious intent. You knew I was diagnosed with TBI and Posttraumatic Headache, PTSD, and other damages are not listed yet. All this was caused by Rush City Staff "Failure-To-Protect." (SAFETY). Now I'm being shipped where you are well aware of the substantial risk of my future Safety in jeopardy.

— Therefore, I would like for this Committee to provide for me of a direct way to Communicate with you guys (Contact STILLWATER STAFF for a FAX #) in order for me to exhaust my remedies without any difficulties

— If you agreed to the Claim above, I would like to know the person's name with whom I will be dealing with from here (STILLWATER) FAXING back and forth documents between you and I, until then I will continue using U.S. Post OFF.

— I want Response of all My Kites and Grievances I will be sending must be in a very short period of time.

Thank you Very much.

Dist. Original - Facility Grievance Coordinator  
Copy - Offender

Date entered \_\_\_\_\_  
Grievance number \_\_\_\_\_

*Received on 10-2-19 from Central office*



Case # 553400



## Internal Memo

Date: July 17, 2019

To: M. Bakambia #248643 1W 128

From: J. Pugh, AW of Operations

*A. B. for*

### RE: Kite Response

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All transfers to another facility within the Department of Corrections are based upon bed space and the needs of the department; handled according to established policies and procedures.

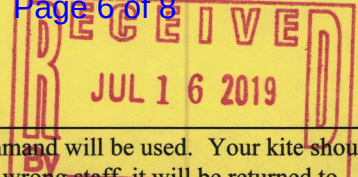
Due to security reasons, offenders are not made aware of an upcoming transfer prior to the transfer occurring. While options may be explored, this will not be discussed with you.

I would encourage you to work with facility staff during the remainder of your incarceration and hope you gain insight into how you can make positive adjustments in your life.

*Received from Central office on 10-2-19*



**Minnesota Department of Corrections**  
**OFFENDER KITE FORM**



Offenders are encouraged to communicate with staff at all levels, but it is expected that the chain of command will be used. Your kite should be directed to the staff who can best answer your question. If you send a kite requiring an answer to the wrong staff, it will be returned to you. Kites are to be used for offender to staff correspondence only. If your kite is not specific, and/or the top portion is not completely filled out, legible, and using your committed name, it will be returned for additional information. If you want your kite reviewed further up the chain of command, you must attach all previous kites to show the previous responses. Offender kite form 303.101A is used for general inquiries. Use kite form B for Health Services, Behavioral Health, and treatment inquiries.

To: A/W OPERATION Date: 7-15-19

From: MARC BAKANBIA OID# 2878643

Facility/Unit 1W Room/Cell 128 Case manager: Ms. T. WOLLHOFER

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

Issue: Again, my safety right now is in jeopardy. Please Contact  
LT. WATPIN, I just sent him a kite regarding staff who had just put  
my life and safety even more in jeopardy. I am appealing CPT Rasmussen  
to his response. I want to get transferred as soon as possible and please  
no still water, they've got their friends alerted already,  
Thank you

Response from: \_\_\_\_\_ Date: \_\_\_\_\_

Return to: Received From Central Office OID#: \_\_\_\_\_ Unit: \_\_\_\_\_ Room/Cell: \_\_\_\_\_

Distribution upon completion of response: Original to offender; copy to respondent 303.101A (10/2018)



**Minnesota Department of Corrections  
OFFENDER KITE FORM**

Offenders are encouraged to communicate with staff at all levels, but it is expected that the chain of command will be used. Your kite should be directed to the staff who can best answer your question. If you send a kite requiring an answer to the wrong staff, it will be returned to you. Kites are to be used for offender to staff correspondence only. If your kite is not specific, and/or the top portion is not completely filled out, legible, and using your committed name, it will be returned for additional information. If you want your kite reviewed further up the chain of command, you must attach all previous kites to show the previous responses. Offender kite form 303.101A is used for general inquiries. Use kite form B for Health Services, Behavioral Health, and treatment inquiries.

To: RASMUSSEN Date: 7-4-19  
 From: MARC BAKAMBIA OID# 248643  
 Facility/Unit 1W Room/Cell 128 Case manager: Ms. THERESA  
 Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

Issue: It is clear to me that I don't have control over transfers and  
at the same time my safety is on the line. But please, on the previous kite, I  
requested return of all my kites. I've sent to you with response please

Thank you very much.

Response from: CD RASMUSSEN Date: 7/16/19  
A TRANSFER IS IN THE WORKS. IT WON'T BE LONG.

Received from Central office on 10-2-19

Return to: BAKAMBIA OID#: 248643 Unit: 1W Room/Cell: 128

Distribution upon completion of response: Original to offender; copy to respondent 303.101A (10/2018)



B-6 East  
3361

SLM  
B-6 East  
3361